

ESTTA Tracking number: **ESTTA652994**

Filing date: **01/29/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91220386
Party	Plaintiff Dr.Linda S.Restrepo
Correspondence Address	Dr.Linda S.Restrepo P.O. Box 12066 El Paso, TX 79913 UNITED STATES rdilsr@zianet.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Dr. Linda S. Restrepo
Filer's e-mail	rdilsr@zianet.com
Signature	/Linda S. Restrepo/
Date	01/29/2015
Attachments	OPPOSITION.pdf(458481 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE
THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of trademark application Serial No. 76716209 For the mark Alliance Riggers & Constructors Published in the Official Gazette on September 10, 2014.

Linda S. Restrepo

v.

Alliance Riggers & Constructors, Ltd.

NOTICE OF OPPOSITION

Opposer Linda S. Restrepo, P.O. Box 12066, El Paso, Texas 79913 dba RDI Global Services and R&D International, believes that she will be damaged by registration of the mark shown in the above-identified application, and hereby opposes the same.

The opposer has a direct and personal stake in the outcome of the opposition and believes that she will suffer damages, invasion of her rights and privileges if the mark is registered. The opposer has a real and personal interest beyond that of the general public or that that the opposer seeking review herein will be among the injured if the mark is registered.

The opposer has an interest in utilizing the term descriptively in her business, opposer has utilized the words contained in the mark and has a bona fide intent to use the words contained in the mark and believes that registration of the mark will be refused in view of applicants registration.

Opposer has a standing based on commercial interest in the mark.

Opposer claims that the mark at issues falsely suggests a connection with opposers domain name "allianceriggersandconstructors.com".

Opposer has a reasonable belief of damage if applicants trademark is granted because as grandfather owner of the domain name "allianceriggersandconstructors.com". The opposer states that applicant has made public claims that it is the owner of said domain name and of the webpages, videos, photographs, mp3s and originally created work produced by opposer.

Opposer has demonstrated a real interest in preventing registration of applicants proposed mark in state court proceedings in case No. 2012-DCV-04523, appeals, Federal Court lawsuit and opposers continued real interest in the applicants attempts to secure a trademark since the applicants first application on the same and exact words and design in application Serial No. 76711574 and applicants second application for the same exact words and design in application Serial No. 76716209.

THE GROUNDS FOR OPPOSITION ARE AS FOLLOWS:

A trademark application cannot be applied for based on the fraudulent misrepresentation of utilizing one company — Alliance Riggers & Constructors, Ltd., as a subterfuge of another — Cordova Alliance LLC. which is what has transpired in this case. This trademark opposition is based on statutory grounds such as legal defects or deficiency in the application which negate the applicants right to the subject matter registration.

(1) Trademark Act § 2(d), 15 U.S.C. § 1052(d): registrant Alliance Riggers & Constructors, Ltd and Cordova Alliance, LLC, illegally with intent to deceive use the name "alliance" which is a mark registered under registration numbers 36000905 and 3604909 by Alliance Steel an Oklahoma corporation as to be likely, when used on or in connection with the goods or services of the Applicant, to cause confusion, or to cause mistake, or to deceive. Applicant did not submit any evidence showing that he has rights to use the mark.

(2) Trademark Act § 2(e), 15 U.S.C. § 1052(e). The USPTO issued a determination that the name "Alliance" was a previously registered Trademark Registration Numbers 3604909 (Alliance Steel), and 3600905 (Alliance and Design) owned by Alliance Steel, Inc., an Oklahoma Corporation domiciled at 3333 South Council Road, Oklahoma City Oklahoma 73179.

(3) Trademark Act § 2(e), 15 U.S.C. § 1052(e). By trademark applicants own description the mark is based on and duplicated symbol from a "three pronged architectural ruler" patented to Paul Thomas Wood, Mandeville, LA Pub. No: US2010/0083515 A1; Pub. Date: April 8, 2010, who is the original designer and holds the Patent. The Applicant's mark so resembles marks registered in the Office: (a) so resembles in name, design, and appearance of the patented "three pronged architectural ruler" patented under

US2010/008385 A1 by Paul Thomas Wood, (b) illegally uses the trademarked name "Alliance" registered under Nos. 36000905 and 3604909, (c) uses the disclaimed words "riggers & constructors", it and as to be likely, when used on or in connection with the goods or services of the Applicant, to cause confusion, or to cause mistake, or to deceive. The Applicant's clear intent is to deceive the public that it owns rights to the "three pronged architectural ruler" as well as the trademarked name "Alliance" and the disclaimed words "riggers & constructors" when in fact Applicant does not and has officially disclaimed use of said words.

(4) Under the Trademark Act § 2(e)(4), 15 U.S.C. § 1052(e)(4) the registrant Alliance Riggers & Constructors, Ltd and Cordova Alliance, LLC, has the "burden" to prove that mark has acquired distinctiveness. Alliance mark is primarily merely a surname containing the deceptively misdescriptive common english language words "riggers and constructors" and illegally used word "alliance". The Applicant has failed to prove that the purported mark has any distinctiveness features.

(5) Trademark Act § 1(a), 15 U.S.C. § 1051(a). Applicant has not submitted any evidence of marketing tools such as brochures, banners t.v. commercials, Alliance Riggers & Constructors, Ltd and Cordova Alliance, LLC, the mark not in use in commerce as of the filing date of the use-based application.

(6) Trademark Act § 1(b), 15 U.S.C. § 1051(b). Applicant's lack of a bona fide intent to use is found where there is no documentary evidence, affirmative statement that no documents exist, and no other evidence to explain lack of documentary evidence, no industry experience, no development or business plan, vague allusions to using the mark through licensing or outsourcing, and applicant's demonstrated pattern of filing intent-to-use applications twice for services under the well-known and famous marks of others such as Alliance Steel holder of the trademark to the name "Alliance".

(7) Trademark Act § 14(3) 15 U.S.C. 1064(3). Applicant's mark is generic, incapable of functioning as a trademark therefore it is unregistrable. Applicant's mark is a mere background design that does not function as a mark separate and apart from the words displayed thereon. When the words displayed thereon that should be removed from the mark due to the Applicant's disclaimer to the words "riggers&constructors" and inability to use the registered trademark name "alliance", the end ruler symbol which Applicant cannot and should not use either because it is a patented ruler design in and by itself is completely meaningless to anybody because it does not depict any of the services claimed by the Applicant.

(8) Unregistrable marks include certain designations that are inherently incapable of functioning as trademarks to identify and distinguish the source

of the products in connection with which they are used. The critical inquiry in determining whether a term functions as a trademark or service mark is how the proposed mark would be perceived by the relevant public. Applicant's own submissions provides the most damaging evidence that its alleged mark is generic and would be perceived by the purchasing public as merely a common name for its services rather than a mark identifying the good's source.

(9) Applicant is not (and was not, at the time of the filing of its application for registration) the rightful owner of the registered mark. To assert a claim for trademark Applicant must first: (1) take bona fide steps to register the trademark which applicant has not done for decades since claim of first use, (2) never established that it had a trademark to the name "alliance riggers and constructors" by never officially claiming a trademark™, (3) they have never officially used the trademark™ symbol (4) and they have never protected it before filing a first trademark application with the USPTO on May 22, 2012 which was denied and abandoned by them. Due to a course of conduct the applicant has caused the mark to lose significance as an indication of source. Further, Applicant's claim of trademark under common law fails because to assert claim to a trademark the applicant must demonstrate: "(1) the name it seeks to protect is eligible for protection which in the case at bar neither the name "alliance" nor the generic,

common english words "riggers and constructors" are eligible for any protection by applicant; (2) that the applicant is the senior use of the name: applicant has not submitted any probatory evidence that they are the senior use of the names "alliance" "riggers & constructors"; (3) there is a likelihood of confusion between applicant's mark and that of other user: not likely in this case because there is no likelihood of confusion with common words found in the English dictionary; (4) demonstrate that likelihood of confusion will cause irreparable damage: Applicant has failed to demonstrate that use of common english words will cause irreparable injury.

(10) Applicant's mark, consisting of an end ruler symbol with a white background is: (1) merely ornamental, (2) has not become distinctive as an indication of the source of applicant's services, (3) is not inherently distinctive and (4) has not acquired distinctiveness therefore it does not qualify for the issuance of a trademark.

(11) Trademark Act § 45, 15 U.S.C. § 1127. Applicant has filed with the USPTO two duplicate applications for trademark: (1) May 18, 2012 first application serial 76711574 which was refused by the Office on September 14, 2012. The USPTO issued a determination that the name "Alliance" was a previously registered Trademark Registration Numbers 3604909 (Alliance Steel), and 3600905 (Alliance and Design) owned by Alliance Steel, Inc., an Oklahoma Corporation domiciled at 3333 South Council Road, Oklahoma

City Oklahoma 73179. Further, the office required Applicant to disclaim use of the common english words "riggers & constructors". Applicant never appealed the Office ruling. The USPTO issued a ruling March 19, 2013 that Applicant had abandoned its trademark application, thus for all intent and purposes Applicant had abandoned its mark with intent not to resume use therefore application does not qualify for and is not subject to issuance of a trademark. Applicant has further abandoned the requested trademark by changing its corporate way of doing business from "Alliance Riggers & Constructors, Ltd." to a new corporate name of doing business designated as "Alliance Tower Cranes, LLC."

(12) Trademark Act § 2(c), 15 U.S.C § 1052(c). Applicant must have cognizable or proprietary right in the name. Alliance Steel and Alliance and Design names (Reg. Nos. 3600905, 3604909) both owned by Alliance Steel, Inc., an Oklahoma Corporation domiciled at 3333 South Council Road, Oklahoma City Oklahoma 73179, have the only proprietary right to the name "alliance" barring Applicant from applying for, using, or otherwise appropriating the name "alliance". Applicant has failed to demonstrate through any credible evidence that it has any type of claim or authorization from the legal owner to use the name "alliance"

(13) The term "generic name" as used in Trademark Act § 14(3), 15 U.S.C. § 1064(3) includes trade dress such as product design or configuration.

Applicant service is classified as a generic “construction trades” services that do not have any specific, special, or peculiar characteristics that would make it eligible for trademark protection. Applicant simply provides a lift crane to a construction site for a determined period of time and when done with a lift it abandons the site. The number of “construction” “cranes” services firms number in the thousands and do not merit any specificity that would deserve a trademark regardless of the name used by the trade. Applicant does not provide any evidence of non-generic status for his services.

(14) See Fed. R. Civ. P.9(b). Applicant committed fraud in the procurement of its registration or during the prosecution of its application for registration. Fraud in procuring a trademark registration occurs when an Applicant for registration knowingly makes a false, material representation of fact in connection with an application to register with the intent of obtaining or maintaining a registration to which it is otherwise not entitled. Fraud requires a willful intent to deceive which is present in the case at bar. Applicant filed a sworn affidavit with their first USPTO application of May 13, 2013 stating under penalty of perjury that they had conducted a due diligence investigation of trademarks and found no one using the name “Alliance” or words to that effect a false assertion made under penalty of law. After Applicant abandoned his initial trademark application upon rejection of the same by the USPTO, Applicant was made clearly aware that

the name "Alliance" was a registered Trademark Registration Numbers 3604909 (Alliance Steel), and 3600905 (Alliance and Design) owned by Alliance Steel, Inc., an Oklahoma Corporation domiciled at 3333 South Council Road, Oklahoma City Oklahoma 73179. Applicant was also aware that the opposer was the owner of the domain name "allianceriggersandconstructors.com". Applicant then filed a second trademark application Serial 76716209 on April 21, 2014 once again stating under penalty of perjury that he had conducted a due diligence investigation of trademarks and found no one using the name "Alliance" or words to that effect, a false assertion made under penalty of law for the second time.

(15) Applicant cannot argue ignorance of the facts or the law for a second time especially in lieu of the following additional facts: (1) Applicant filed a lawsuit 2012-DCV-04523 in El Paso, Texas County Court at Law Number 5 on June 20, 2012 and was made aware through challenges to his trademark allegations throughout the state and federal court proceedings of the existence of the trademark for the name "alliance" and its rightful registered owner Alliance Steel, (2) Applicant was directed by the USPTO determination dated September 14, 2013 to disclaim the use of the words "riggers & constructors" (which applicant falsely stated to the USPTO that they did but in fact did not) and was informed of the existence of the trademark to the name "alliance" by USPTO which was a registered Trademark Registration

Numbers 3604909 (Alliance Steel), and 3600905 (Alliance and Design) owned by Alliance Steel, Inc., an Oklahoma Corporation domiciled at 3333 South Council Road, Oklahoma City Oklahoma 73179. Applicant was aware of the opposers ownership to the domain name "alliance riggers & constructors.com". Yet in spite of the USPTO determinations and court proceedings Applicant for a second time on April 17, 2014 filed an affidavit for the second time stating the applicant was not aware of the existence of the trademarked name "alliance". It is clear from the actions of the Applicant that he was intent on committing intentional and deliberate fraud upon the state and federal courts, upon the opposers, upon Alliance Steel, and upon the public at large.

(16) Applicant's deliberate intent in filing the lawsuit in state court against the opposer has been to have a state court issue ownership to them of a trademark which they never owned, filed for utilized or obtained. Applicant fraudulently attempted to utilize a State County Court to obtain rights to Trademark Registration Numbers 3604909 (Alliance Steel), and 3600905 (Alliance and Design) owned by Alliance Steel, Inc., an Oklahoma Corporation domiciled at 3333 South Council Road, Oklahoma City Oklahoma 73179 and the duplicated symbol from a "three pronged architectural ruler" patented to Paul Thomas Wood, Mandeville, LA Pub. No: US2010/0083515

A1; Pub. Date: April 8, 2010, who is the original designer and holds the Patent.

(17) Further, Applicant's second trademark application intent is to deceive, is a fraudulent attempt to obtain a trademark for the company Cordova Alliance LLC., a Texas limited liability company in which its corporate officers did not sign the trademark application on behalf of Cordova Alliance, LLC. Neither has Cordova Alliance LLC., ever claimed, used, publicly displayed the literal mark element containing the words "alliance riggers & constructors" and subject of this application.

(18) The application represents multiple parties in a single application for registration. A trademark application cannot be applied for utilizing one company — Alliance Riggers & Constructors, Ltd., as a subterfuge of another — Cordova Alliance LLC. which is what has transpired in this case.

Respectfully submitted,

/S/ Linda S. Restrepo

P.O. Box 12066

El Paso, Texas 79912

(915) 581-2732

CERTIFICATE OF SERVICE

This is to certify that on January 28, 2015 a true and correct copy of the foregoing opposition to trademark application was served upon R. Wayne Pritchard, P.C., 300 East Main Suite 1240, El Paso, Texas 79901 attorney for Alliance Riggers & Constructors, Ltd..

/S/ Linda S. Restrepo

Linda S. Restrepo

EXHIBIT 1



04-21-2014

U.S. Patent & TMOfr/TM Mail Ropt Dt. #22

Applicant:

Applicant's Address:

Goods recited in application:

Alliance Riggers & Constructors, Ltd..

1200 Kastrin Street

El Paso, Texas 79907

Crane and Erectors Services, namely: Structural Steel Erection, Tilt-up and Precast Erection, Crane and Rigging, Overhead Crane Systems, Machinery Moving, In-Plant Heavy Hauling, Welding Service, Crane Lift Drafting, Trans-Loading, and Pre-Engineered Metal Building Erection, din International Class 037



TRADEMARK



76716209

TRADEMARK APPLICATION:

76716209

SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE

PATENT AND TRADEMARK OFFICE

FEE SHEET

04/21/2014 SWILSON1 00000009 76716209

01 FC:6001

375.00 OP

R. WAYNE PRITCHARD, P.C.
Intellectual Property Law

R. Wayne Pritchard, P. E.

Admitted to Practice before the United States Patent & Trademark Office

300 East Main, Suite 1240
El Paso, Texas 79901
Telephone: (915) 533-0080
Facsimile: (915) 533-0081
wpritchard@pritchlaw.com

April 18, 2014

Via Express Mail

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
EXPRESS MAIL NO. EI 498 588 363 US, IN AN ENVELOPE
ADDRESSED TO: COMMISSIONER FOR TRADEMARKS, P.O. BOX
1451, ALEXANDRIA, VIRGINIA 22313-1451.

R. Wayne Pritchard

R. WAYNE PRITCHARD

DATE *04/16/2014*

Re: Applicant: Alliance Riggers & Constructors, Ltd
Mark: ALLIANCE RIGGERS & CONSTRUCTORS (with design)

Dear Sirs:

In connection with the above referenced marks, please find enclosed the original actual use trademark application for the mark "Alliance Riggers & Constructors" (with design), one specimen; and a check made payable to the Commissioner for Trademarks in the amount of \$375.00. Should you have any questions relating to the foregoing, please do not hesitate to contact me.

Respectfully,

R. Wayne Pritchard

R. Wayne Pritchard, P.E.
Registration Number 34,903

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK/SERVICE MARK APPLICATION**

MARK: ALLIANCE RIGGERS & CONSTRUCTORS with Design
INT. CL. NO. : 037
INT. CL. TITLE: BUILDING CONSTRUCTION; REPAIR; INSTALLATIONS
SERVICES

TO THE ASSISTANT SECRETARY AND
COMMISSIONER OF PATENTS AND TRADEMARKS:

APPLICANT: Alliance Riggers & Constructors, Ltd
APPLICANT IS: A Texas Limited Partnership
BUSINESS ADDRESS: 1200 Kastrin Street
El Paso, Texas 79907
GOODS OR SERVICES: Crane and Erectors Services, namely: Structural Steel
Erection, Tilt-up and Precast Erection, Crane and Rigging,
Overhead Crane Systems, Machinery Moving, In-Plant
Heavy Hauling, Welding Service, Crane Lift Drafting, Trans-
Loading, and Pre-Engineered Metal Building Erection, in
International Class 037

Applicant requests registration of the above identified trademark/service mark shown on the accompanying drawing in the United States Patent and Trademark Office on the Principal Register established by the Act of July 25, 1946 (15 U.S.C. §1051, et seq.) as amended for the above identified goods/services.

The Applicant is using the mark in commerce or in connection with the above identified goods/services (15 U.S.C. §1051(a), as amended). Pursuant to Section 904.1 of the TMEP, Applicant submits one specimen showing the mark as used in commerce.

Date of first use of the mark anywhere: July 1, 1997

Date of first use of the mark in interstate commerce: July 1, 1997

POWER OF ATTORNEY

The Applicant hereby appoints R. Wayne Pritchard of the firm R. Wayne Pritchard, P.C.,
300 East Main, Suite 1240, El Paso, Texas 79901, Telephone Number (915) 533-0080, Facsimile

Number (915) 533-0081, e-mail address wpritchard@pritchlaw.com, to prosecute and pursue this mark and this application to register, to transact all business with the Patent and Trademark Office in connection therewith, and to receive the Certificate of Registration. The USPTO is authorized to communicate with the applicant through its designated agent at the above stated e-mail address.

DECLARATION

The undersigned being hereby warned that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful, false statements may jeopardize the validity of the application or any resulting registration, declares that he/she believes the applicant to be the owner of the mark sought to be registered, or, if the application is being filed under 15 U.S.C. §1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use said mark in commerce either in identical form thereof or in such near resemblance thereto as to be likely, when applied to the goods of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Alliance Riggers & Constructors, Ltd.

By: 

Name: Phillip H. Cordova

Its: General Manager

Date: April 17, 2014



05-22-2012

U.S. Patent & TMO/c/TM Mail Rept. Dt. #51

EXHIBIT 2

Applicant:

Applicant's Address:

Goods recited in application:

Alliance Riggers & Constructors, Ltd..

1200 Kastrin Street

El Paso, Texas 79907

Crane and Erectors Services, namely: Structural Steel Erection, Tilt-up and Precast Erection, Crane and Rigging, Overhead Crane Systems, Machinery Moving, In-Plant Heavy Hauling, Welding Service, Crane Lift Drafting, Trans-Loading, and Pre-Engineered Metal Building Erection, in International Class 037



U.S. Patent & TM Office



76711574

76711574

TRADEMARK APPLICATION SERIAL NO.-----

U.S. DEPARTMENT OF COMMERCE
AND PATENT AND TRADEMARK OFFICE
FEE SHEET

05/22/2012 SWILSON1 00000030 76711574

01 FC:6001

375.00 OP

R. WAYNE PRITCHARD, P.C.
Intellectual Property Law

R. Wayne Pritchard, P. E.

Admitted to Practice before the United States Patent & Trademark Office

300 East Main, Suite 1240
El Paso, Texas 79901
Telephone: (915) 533-0080
Facsimile: (915) 533-0081
wpritchard@pritchlaw.com

May 18, 2012

Via Express Mail

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
EXPRESS MAIL NO. EG 997 377 579 US, IN AN ENVELOPE
ADDRESSED TO: COMMISSIONER FOR TRADEMARKS, P.O. BOX
1451, ALEXANDRIA, VIRGINIA 22313-1451.

R. Wayne Pritchard
R. WAYNE PRITCHARD
5/18/2012
DATE

Re: "ALLIANCE RIGGERS & CONSTRUCTORS" with Design

Dear Sirs:

In connection with the above referenced mark, please find enclosed the original trademark actual use application, sample specimen, and check in the amount of \$375.00. Should you have any questions relating to the foregoing, please do not hesitate to contact me.

Respectfully,

R. Wayne Pritchard

R. Wayne Pritchard, P.E.
Registration Number 34,903

w/encl.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK/SERVICE MARK APPLICATION**

MARK: ALLIANCE RIGGERS & CONSTRUCTORS with Design
INT. CL. NO. : 037
INT. CL. TITLE: BUILDING CONSTRUCTION; REPAIR; INSTALLATIONS
SERVICES

TO THE ASSISTANT SECRETARY AND
COMMISSIONER OF PATENTS AND TRADEMARKS:

APPLICANT: Alliance Riggers & Constructors, Ltd
APPLICANT IS: A Texas Limited Partnership
BUSINESS ADDRESS: 1200 Kastrin Street
El Paso, Texas 79907
GOODS OR SERVICES: Crane and Erectors Services, namely: Structural Steel
Erection, Tilt-up and Precast Erection, Crane and Rigging,
Overhead Crane Systems, Machinery Moving, In-Plant
Heavy Hauling, Welding Service, Crane Lift Drafting, Trans-
Loading, and Pre-Engineered Metal Building Erection, in
International Class 037

Applicant requests registration of the above identified trademark/service mark shown on the accompanying drawing in the United States Patent and Trademark Office on the Principal Register established by the Act of July 25, 1946 (15 U.S.C. §1051, et seq.) as amended for the above identified goods/services.

The Applicant is using the mark in commerce or in connection with the above identified goods/services (15 U.S.C. §1051(a), as amended). Pursuant to Section 904.1 of the TMEP, Applicant submits one specimen showing the mark as used in commerce.

Date of first use of the mark anywhere: July 1, 1997
Date of first use of the mark in interstate commerce: July 1, 1997

POWER OF ATTORNEY

The Applicant hereby appoints R. Wayne Pritchard of the firm R. Wayne Pritchard, P.C., 300 East Main, Suite 1240, El Paso, Texas 79901, Telephone Number (915) 533-0080, Facsimile

Number (915) 533-0081, e-mail address wpritchard@pritchlaw.com to prosecute and pursue this mark and this application to register, to transact all business with the Patent and Trademark Office in connection therewith, and to receive the Certificate of Registration. The USPTO is authorized to communicate with the applicant through its designated agent at the above stated e-mail address.

DECLARATION

The undersigned being hereby warned that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful, false statements may jeopardize the validity of the application or any resulting registration, declares that he/she believes the applicant to be the owner of the mark sought to be registered, or, if the application is being filed under 15 U.S.C. §1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use said mark in commerce either in identical form thereof or in such near resemblance thereto as to be likely, when applied to the goods of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Alliance Riggers & Constructors, Ltd

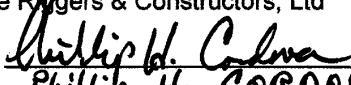
By: 
Name: Phillip H. CORDOVA
Its: GENERAL MANAGER
Date: 17 MAY 2012

EXHIBIT 3

Trademark Snap Shot Publication & Issue Review Stylesheet (Table presents the data on Publication & Issue Review Complete)

OVERVIEW

SERIAL NUMBER	76716209	FILING DATE	04/21/2014
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GOODSAID, IRA J	L.O. ASSIGNED	101

PUB INFORMATION

RUN DATE	08/29/2014		
PUB DATE	09/30/2014		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	08/28/2014		
LITERAL MARK ELEMENT	ALLIANCE RIGGERS & CONSTRUCTORS		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ALLIANCE RIGGERS & CONSTRUCTORS

MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Alliance Riggers & Constructors, Ltd
ADDRESS	1200 Kastrin Street El Paso, TX 79907
ENTITY	13-LIMITED PARTNERSHIP
CITIZENSHIP	Texas
COMPOSED OF	Cordova Alliance, LLC, a Texas limited liability company

GOODS AND SERVICES

INTERNATIONAL CLASS	037
DESCRIPTION TEXT	Crane and erector services, namely, structural steel erection

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	037	FIRST USE DATE	07/01/1997	FIRST USE IN COMMERCE DATE	07/01/1997	CLASS STATUS	6-ACTIVE
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MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DISCLAIMER W/PREDETER TXT	"RIGGERS & CONSTRUCTORS"
DESCRIPTION OF MARK	The mark consists of a representation of the end of a three-pronged architectural ruler superimposed across a circle. The wording "ALLIANCE RIGGERS & CONSTRUCTORS" appears below the three-pronged design with a solid triangle between "ALLIANCE" and the rest of the wording.
PSEUDO MARK	ALLIANCE RIGGERS AND CONSTRUCTORS, LTD

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
08/28/2014	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	021
08/26/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	020
08/18/2014	DMCC	I	DATA MODIFICATION COMPLETED	019

08/18/2014	XAEC	I	EXAMINER'S AMENDMENT ENTERED	018
08/18/2014	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	017
08/18/2014	GNEA	O	EXAMINERS AMENDMENT E-MAILED	016
08/18/2014	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	015
08/18/2014	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	014
08/13/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	013
08/12/2014	ACEC	I	AMENDMENT FROM APPLICANT ENTERED	012
08/12/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	011
08/05/2014	MAIL	I	PAPER RECEIVED	010
08/04/2014	CEAP	F	EXAMINER'S AMENDMENT/PRIORITY ACTION MAILED	009
08/01/2014	CEPE	I	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION ENTERED	008
08/01/2014	ALIE	A	ASSIGNED TO LIE	007
08/04/2014	CPEA	R	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	006
08/01/2014	LOPR	P	LETTER OF PROTEST EVIDENCE REVIEWED	005
08/01/2014	DOCK	D	ASSIGNED TO EXAMINER	004
07/30/2014	LOPT	I	LETTER OF PROTEST ACCEPTED	003
04/29/2014	MAFR	O	APPLICATION FILING RECEIPT MAILED	002
04/24/2014	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	R. WAYNE PRITCHARD
CORRESPONDENCE ADDRESS	R. WAYNE PRITCHARD R. WAYNE PRITCHARD, P.C. 300 E MAIN DR STE 1240 EL PASO, TX 79901-1359
DOMESTIC REPRESENTATIVE	NONE

